



PATENT
Docket No.: 29273/557

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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4-14-03
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TC 1700

APPLICANT : Tomoo YAMAMOTO et al.
SERIAL NO. : 09/914,471
FILED : August 29, 2001
FOR : MAGNETIC RECORDING MEDIUM AND MAGNETIC STORAGE
DEVICE
ART UNIT : 1773
EXAMINER : Holly C. Rickman

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

**TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION**

SIR:

Identification of Person Making This Disclaimer

I, John C. Altmiller (Reg. No. 25,951) of KENYON & KENYON, 1500 K Street, N.W., Suite 700, Washington, D.C. 20005-1257, represent that I am an attorney of record in the above-identified application authorized to sign on behalf of the assignee identified below owning all of the interest in this application.

Identity of Assignee and Title of Disclaimant

The assignee is : HITACHI, LTD.
Address of assignee : 6, Kanda Surugadai 4-chome
Chiyoda-ku, Tokyo, JAPAN
Title of disclaimant : Attorney of Record

authorized to sign on behalf of assignee.

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Extent of Interest

The extent of the assignee's interest is in the whole of this invention.

Disclaimer

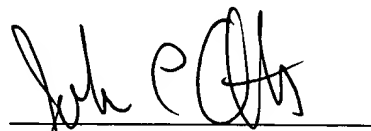
The owner, HITACHI, LTD., of 100% interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 and § 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent Application Serial No. 09/862,452. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to § 156 and § 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer.

Please charge Deposit Account No. 11-0600 in the amount of \$110.00 to cover the fee under 37 C.F.R. § 1.20(d).

Respectfully submitted,

Date: March 3, 2003


John C. Altmiller
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Attorney of Record

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